

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

GREGORIO TOLEDO-GONZALEZ,

**Plaintiff**

**v.**

UNITED STATES OF AMERICA,

**Defendant**

**CIVIL NO. 06-1765 (JAG)**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

GARCIA-GREGORY, D.J.

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Bruce J. McGiverin on August 31, 2007. (Docket No. 6). In said Report and Recommendation, the Magistrate-Judge recommends that the motion filed by plaintiff Gregorio Toledo-Gonzalez, to vacate, set aside or correct sentence under 28 U.S.C. § 2255 (Docket No. 1), be denied.

Neither party filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by this Court's Local Rules. See D.P.R. Local Civ. R. 72(d).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby ADOPTS the Magistrate-Judge's Report and Recommendation in its entirety and accordingly, DENIES plaintiff's motion for relief under 28 U.S.C. § 2255. Judgment shall enter accordingly.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 18th day of September, 2007.

S/Jay A. Garcia-Gregory

JAY A. GARCIA-GREGORY

United States District Judge